

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 2, 1847.

Read twice, and referred to the Committee on Commerce.

AN ACT

To regulate the carriage of passengers in merchant vessels.

1 *Be it enacted by the Senate and House of Representatives of*
2 *the United States of America in Congress assembled, That*
3 *if the master of any vessel owned in whole or in part by a*
4 *citizen of the United States of America, or by a citizen of any*
5 *foreign country, shall take on board such vessel at any foreign*
6 *port or place a greater number of passengers than in the follow-*
7 *ing proportion to the space occupied by them and appropriated*
8 *for their use, and unoccupied by stores, or other goods, not being*
9 *the personal luggage of such passengers, that is to say, on the*
10 *lower deck or platform one passenger for every ten clear super-*
11 *ficial feet of deck, if such vessel is not to pass within the tropics*
12 *during such voyage; but if such vessel is to pass within the*
13 *tropics during such voyage, then one passenger for every twelve*
14 *such clear superficial feet of deck, and under the poop and on the*
15 *orlop deck (if any) one passenger for every thirty such superfi-*
16 *cial feet in all cases, with intent to bring such passengers to the*
17 *United States of America, and shall leave such port or place*
18 *with the same, and bring the same, or any number thereof,*

19 within the jurisdiction of the United States aforesaid, or if any
20 such master of a vessel shall take on board of his vessel at any
21 port or place within the jurisdiction of the United States afore-
22 said any greater number of passengers than the proportions
23 aforesaid, admit with intent to carry the same to any foreign
24 port or place, every such master shall be deemed guilty of a
25 misdemeanor, and, upon conviction thereof before any circuit or
26 district court of the United States aforesaid, shall for each pas-
27 senger taken on board beyond the above proportions be fined in
28 the sum of fifty dollars, and may also be imprisoned for any
29 term not exceeding one year.

1 **SEC. 2.** *And be it further enacted,* That if the passengers
2 so taken on board of such vessel, and brought into or trans-
3 ported from the United States aforesaid, shall exceed the num-
4 ber limited by the last section to the number of twenty in the
5 whole, such vessel shall be forfeited to the United States afore-
6 said, and be prosecuted and distributed as forfeitures are under
7 the act to regulate duties on imports and tonnage.

1 **SEC. 3.** *And be it further enacted,* That if any such vessel
2 as aforesaid shall have more than two tiers of berths, or in case,
3 in such vessel, the interval between the floor and the deck or
4 platform beneath shall not be at least six inches, and the berths
5 well constructed, or in case the dimensions of such berths shall
6 not be at least six feet in length, and at least eighteen inches
7 in width, for each passenger as aforesaid, then the master of

8 said vessel, and the owners thereof, severally, shall forfeit and
9 pay the sum of five dollars for each and every passenger on
10 board of said vessel on such voyage, to be recovered by the
11 United States as aforesaid, in any circuit or district court of the
12 United States where such vessel may arrive, or from which she
13 sails.

1 SEC. 4. *And be it further enacted*, That, for the purposes
2 of this act, it shall in all cases be computed that two children,
3 each being under the age of fourteen years, shall be equal to one
4 passenger, and that children under the age of one year shall not
5 be included in the computation of the number of passengers.

1 SEC. 5. *And be it further enacted*, That the amount of the
2 several penalties imposed by this act shall be liens on the vessel
3 or vessels violating its provisions; and such vessel may be libelled
4 and sold therefor in the district court of the United States afore-
5 said in which such vessel shall arrive.

Passed the House of Representatives February 1, 1847.

Attest:

B. B. FRENCH, *Clerk*.